



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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October 14, 1994

Mr. Dan L. Powell
Emery Industrial Resources, Inc.
967 South 680 West
Payson, Utah 84651

Re: Time Extension Request, Large Mining Operation Notice, Cherry Hill Park Quarry,
S/049/021, Utah County, Utah

Dear Mr. Powell:

The Division has reviewed your written response (received October 7, 1994) to our August 24, 1994 letter, which directed you to file a large mining permit application with this office by October 9, 1994. Your letter outlines unforeseen circumstances that would prevent you from meeting the established deadline. You requested a 30-day time extension to file the permit application. The requested 30-day extension is hereby granted. The required information must be received by our office no later than November 14, 1994.

The Division has contacted Utah County personnel (Mr. Buck Rose) regarding the bonding issue. Mr. Rose indicated that they would not require a large mining operation to post a separate reclamation surety with both the county *and* State. Utah County would allow the large mine operator to post the required surety with the State (DOGM) provided the operator enters into an agreement with the county. The agreement would require the operator to agree to post a bond with the county (if deemed necessary) in the event the State releases the surety. In your case, the county would release the existing reclamation surety they hold for your operation when you post a surety with the State, provided you enter into the type of agreement mentioned above.

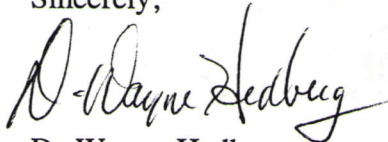
With this understanding, the Division will require you to post the reclamation surety with this office, after we have reviewed and approved of your large mine permit application. The appropriate reclamation surety amount will be determined as part of our permit review process. In the meantime, we suggest the existing surety arrangements made between you and Utah County remain in place. Final approval of your large mining notice will follow a 30-day public comment period, our receipt of the required reclamation surety, and approval of the amount and form of surety from the Board of Oil, Gas and Mining. Upon the Division's final approval, Utah County would then release the current bond which they now hold.



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Thank you for keeping us posted on the progress of your operation. Should you have any questions or concerns in this regard, please contact me or Lynn Kunzler of my staff.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Wayne Hedberg". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
cc: Buck Rose, Utah County
Minerals File
S049021.lmk